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APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,440 07/10/2001		Dennis R. Ulbrich	22578.3 5506	
716	7590 07/25/2002			
	TH INCORPORATED	EXAMINER		
SUITE 1800 112 EAST PECAN STREET SAN ANTONIO, TX 782051536			LUGO, CARLOS	
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			3677	

DATE MAILED: 07/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Og/902.440 Examinar Art Unit 3677 - The MAIL/ING DATE of this communication appears on the cover sheet with the correspondence addrass Period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAIL/ING DATE of THIS COMMUNICATION. Extension of time may be available under the provisions of 37 CFR 1-156(a). In no event, however, may a repty be timely filed. If the period transplant is a sealable under the provisions of 37 CFR 1-156(a). In no event, however, may a repty be timely filed. If the period transplant is a sealable under the provisions of 37 CFR 1-156(a). In no event, however, may a repty be timely filed. If the period transplant is a sealable under the provision of 37 CFR 1-156(a). In no event, however, may a repty be timely filed. If the period transplant is a sealable under the provision of 37 CFR 1-156(a). In one event, however, may a repty be timely filed in the period of the communication of this period of repty is second at one. If the period transplant is a sealable under the period and days, as repty while the statutory minimum of thing (30) days will be considered limely. If the period transplant is a sealable under the period and the mailing date of this communication, even if smery filed, may recurse any analysis of the period transplant is an advantage of the days of the communication of the sealable of this communication, even if smery filed, may recurse any analysis of the sealable of the communication, even if smery filed, may recurse any analysis of the sealable of the communication of the sealable								
Examiner Carlos Lugo 3677	•		Application No.		Applicant(s)			
Carlos Lugo 3677 - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. THE MAILING DATE OF THIS COMMUNICATION. If the period for reply specified above is less has they (70) days, a reply within the statisticy minimum of thing (x0) days will be considered treely. If the period for reply specified above is less has they (70) days, a reply within the statisticy minimum of thing (x0) days will be considered treely. If the period for reply specified above is less has they (70) days, a reply within the statisticy minimum of thing (x0) days will be considered treely. If the period for reply specified above is less has they (70) days, a reply within the statisticy minimum of thing (x0) days will be considered treely. If the period for reply specified above is less has they (70) days, and you will gain statisticy minimum of thing (x0) days will be considered treely. If the period for reply specified above is less has they (70) days, and you will be considered treely. If the period for reply specified above is less has they (70) days, and you will be considered treely. If the period for reply specified above is less has they (70) days, and you will be considered treely. If the period for reply specified on the period is a reply to the mailing date of risk communication. If approved communication (s) filed on 26 June 2002. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is on condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disp atition of Claims 4) Claim(s) Sefare perioding in the application. 4) Claim(s) Sefare allowed. 6) Claim(s) Sefare allowed. 6) Claim(s) Sefare allowed. 7) Claim(s) Sefare perioding in the application in the drawing(s) be held in a			09/902,440		ULBRICH ET AL.			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 3 CFR 1.13(d), in no event, however, may a raply be timely filled after 60x (e) MONTHS from the maining date of this communication. Elections of the reply signification to the provision of 3 CFR 1.13(d), in no event, however, may a raply be timely filled after 60x (e) MONTHS from the maining date of this communication. If NO period for reply is specified before the provision of the provis			Examiner		Art Unit			
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Application/Control Number: 09/902,440

Art Unit: 3677

DETAILED ACTION

1. This Office action is in response to the election made on June 26, 2002, where in claims 1-7 and 12-14 were withdraw from consideration.

Claim Rejections - 35 USC § 103

- 2. The following is a quotation of 35 U.S.C. 103(a), which forms the basis for all obviousness rejections, set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 8-11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior Art in view of US Pat No 5,513,871 to Johnson or US Pat No 4,699,395 to Hale.

Regarding claims 8,9 and 15, the Prior Art discloses the invention as claimed. However, the Prior Art fails to disclose the use of a padlock to lock a gooseneck trailer hitch.

Johnson teaches that the use of a padlock (P) as a locking apparatus for a hitch is known in the art.

Hale teaches that the use of a padlock (Figure 1) as a locking apparatus for a hitch is known in the art.

As to claims 10 and 11, applicant is reminded that a change in the size of a prior art device is a design consideration within the skill of the art. <u>In re Rose</u>, 220 F.2d 459, 105 USPQ 237 (CCPA 1955).

Application/Control Number: 09/902,440

Art Unit: 3677

Page 3

It would be obvious to one having ordinary skill in the art at the time the invention

was made to use a padlock, as taught by Johnson or Hale, into a gooseneck trailer

hitch as described by the Prior Art, in order to lock the gooseneck trailer hitch.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. The patents cited further show the state of the art with respect

to locking apparatus.

5. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Carlos Lugo. The examiner phone number is (703)-

305-9747. The fax number for correspondence before a final action is (703)-872-

9326 and the fax number for correspondence after final action is (703)-872-9327.

The email direction of the examiner is carlos.lugo@uspto.gov. The examiner can

normally be reached on Monday to Friday from 9:30am to 6:30pm (EST). If the

examiner is not available, please leave a message, including the application number

and the examiner will answer the message as soon as possible.

July 16, 2002

J. J. SWANN SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3600